

Message Text

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PAGE 01 STATE 305785
ORIGIN L-03

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DLOS-06 OES-06 FRB-03 OMB-01 ITC-01 SP-02 USIA-06
AGRE-00 AID-05 LAB-04 OIC-02 SIL-01 STR-04 TRSE-00
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SUBJECT: UNCTAD IPG ON MULTIMODAL TRANSPORT - GROUP B
COORDINATING MEETING (MTC WORKING GROUP ON CONTAINER
TRANSPORT, DECEMBER 20-21)

REF: BANK-FORRESTER TELCON

1. THE FOLLOWING IS FURTHER GUIDANCE FOR MISSION IN
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PAGE 02 STATE 305785

CONNECTION WITH DECEMBER 20-21 GROUP B COORDINATING
MEETING ON UNCTAD IPG. COMMENTS ARE KEYED TO MEETING
AGENDA (DAF/MTC/76.57).

2. U.S. COOPERATION WITH GROUP B - AS APPROPRIATE, MISSION
MAY NOTE THAT U.S. HAS ALWAYS WORKED CLOSELY WITH OTHER

GROUP B COUNTRIES IN IPG, AND EXPECTS TO CONTINUE CLOSE COOPERATION AT SECOND SESSION OF THIRD IPG IN GENEVA. HOWEVER, SCHEDULING OF GROUP B COORDINATING MEETING MAKES IT IMPOSSIBLE FOR USG OFFICIALS MOST DIRECTLY CONCERNED TO COME TO PARIS DECEMBER 20-21. (FYI - SEVERAL OTHER MAJOR GROUP B PARTICIPANTS IN THE IPG ARE PROBABLY IN THE SAME SITUATION. ACCORDINGLY, DEPARTMENT DOES NOT EXPECT DECEMBER 20-21 MEETING TO GET INTO GREAT DETAIL. END FYI).

3. AGENDA ITEM 1 - AGENDA IS ACCEPTABLE.

4. AGENDA ITEM 2: GENERAL EXCHANGE OF VIEWS - MISSION MAY NOTE THAT, IN U.S. VIEW, THE FIRST SESSION OF THE THIRD IPG WAS NOT OFF TO A VERY GOOD START WHEN IT WAS INTERRUPTED BY UNCTAD SECRETARIAT STRIKE. STILL, THE STRIKE INTERVENED, AND NO ONE CAN DETERMINE WHAT MIGHT HAVE BEEN HAD IT NOT OCCURRED. U.S. WILL CERTAINLY ATTEND THE SECOND SESSION, AND WILL BE PREPARED TO PLAY AN ACTIVE ROLE, ALTHOUGH OUR ENTHUSIASM HAS BEEN DAMPENED BY INCONCLUSIVE RESULTS OF PRIOR IPG MEETINGS. (FYI - IN FACT, U.S.G. AGENCIES ARE PROGRESSIVELY LESS OPTIMISTIC ABOUT PROSPECTS FOR THE IPG EVER PRODUCING A CONVENTION ACCEPTABLE TO THE U.S. ACCORDINGLY, U.S. PARTICIPATION IN SECOND SESSION OF THIRD IPG MAY SERVE PRIMARILY TO LIMIT POTENTIAL DAMAGE TO U.S. INTERESTS. END FYI).

5. MISSION SHOULD INDICATE THAT U.S. CONTINUES TO BELIEVE STRONGLY THAT ANY CONVENTION MUST BE LIMITED TO PRIVATE LAW MATTERS. DETAILED SUBSTANTIVE PROVISIONS RELATING TO PUBLIC LAW ISSUES SUCH AS CUSTOMS; LICENSING LIMITED OFFICIAL USE

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PAGE 03 STATE 305785

AND REGULATION OF MULTIMODAL TRANSPORT OPERATORS (MTO'S); RELATIONS BETWEEN MTO'S AND CONFERENCES; LABOR MATTERS; AND THE LIKE REMAIN UNACCEPTABLE TO US.

6. MISSION SHOULD ALSO STRESS USG HOPE THAT SECOND SESSION OF THIRD IPG CAN GET DOWN TO SUBSTANTIVE PRIVATE LAW ISSUES AS QUICKLY AND AS INTENSIVELY AS POSSIBLE. WE SEE NO BENEFIT IN PROTRACTED DEBATE OR DISCUSSION ON THE SOCIAL AND ECONOMIC IMPLICATIONS OF MULTIMODAL TRANSPORT.

7. SHOULD DISCUSSION GET TO SPECIFIC SUBSTANTIVE ISSUES (DOCUMENTATION, LIABILITY AND INSURANCE, SCOPE OF APPLICATION) MISSION MAY NOTE THAT U.S.G. POSITIONS WILL GENERALLY BE SIMILAR TO THOSE TAKEN DURING LAST IPG, WHICH WERE GENERALLY CONSONANT WITH VIEWS OF OTHER B GROUP COUNTRIES. (FYI - LIABILITY AND INSURANCE IS OF PARTICULAR INTEREST. GROUP B MOVED CONSIDERABLY TOWARDS FORMULATING A COMMON POSITION ON THESE SUBJECTS DURING

CLOSING DAYS AT LAST IPG. GROUP B'S FORMULA GENERALLY ENDORSED BY USG AND APPROVED BY PUBLIC MEETING ON DECEMBER 16 (TOMPKINS WILL HAVE DETAILS). REPORTING ON NATIONAL POSITIONS ON LIABILITY AND INSURANCE OF PARTICULAR INTEREST. END FYI).

8. AGENDA ITEM 3: DOCUMENTS - MISSION MAY NOTE THAT THE MOST SIGNIFICANT OF THE DOCUMENTS FOR THE SECOND SESSION, TD/B/AC. 15/19, WAS NOT RECEIVED IN WASHINGTON UNTIL DECEMBER 15. THAT DOCUMENT CONTAINS SECRETARIAT'S VERSION OF OPTIONS BEFORE IPG, AND SETS FORTH SOME DRAFT ARTICLES OUR QUICK REVIEW OF TD/D/AC. 15/19 INDICATES THAT G-77 VIEWS PREDOMINATE, AND THAT IT WILL PROVIDE A VERY DIFFICULT BASIS FOR DISCUSSIONS OR NEGOTIATIONS IN GENEVA. THE EXTENSIVE CATALOGUE OF PUBLIC LAW ISSUES (LICENSING OF MULTIMODAL TRANSPORT OPERATORS, LABOR MATTERS, CARGO ROUTING, MULTIMODAL TRANSPORT OPERATORS' MEMBERSHIP IN CONFERENCES) INCLUDED BY SECRETARIAT IN ITS OUTLINE OF LIMITED OFFICIAL USE

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PAGE 04 STATE 305785

POSSIBLE CONVENTION REMAIN UNACCEPTABLE TO U.S.G. (FYI - SINCE AC. 15/19 WILL PROBABLY BE THE BASIC DOCUMENT IN DISCUSSIONS WITH THE G-77, FULL REPORTING ON GROUP B REACTIONS TO IT, INCLUDING VIEWS REGARDING SPECIFIC SECTIONS, WILL BE HELPFUL. END FYI).

9. REVIEW OF GROUP B POSITIONS INCLUDING STATEMENT ON "ECONOMIC AND SOCIAL IMPLICATIONS" - DURING FIRST SESSION OF THIRD IPG, GROUP B. PREPARED A STATEMENT ON SOCIAL AND ECONOMIC IMPLICATIONS WHICH WAS NEVER GIVEN. MISSION MAY GENERALLY REAFFIRM U.S. SUPPORT FOR THAT STATEMENT, AS WELL AS FOR OTHER STATEMENTS MADE BY GROUP B.

10. COMPOSITION OF GROUP B DELEGATIONS AND COORDINATOR OF GROUP B - MISSION MAY NOTE THAT U.S. DELEGATION WILL BE GENERALLY SIMILAR TO DELEGATION ATTENDING FIRST SESSION OF THIRD IPG. IT WILL PROBABLY BE CHAIRED BY CROOK (LEGAL ADVISER'S OFFICE, STATE), AND INCLUDE REPRESENTATIVE OF OTHER AGENCIES AND INDUSTRY ADVISERS FAMILIAR WITH MULTIMODAL TRANSPORTATION. WE HAVE HAD NO ADVANCE INDICATIONS OF INTEREST IN ROLE AS GROUP B COORDINATOR. MRS. B. BLOM(SWEDEN) WAS COORDINATOR DURING FIRST SESSION, AND DID ADMIRABLE JOB, BUT PROBABLY WILL NOT ATTEND IPG. NILSEN OF SWEDEN OR GANTEN (FRG) WOULD BE SUITABLE COORDINATOR.

11. IN LIGHT OF GENERAL NATURE OF ANTICIPATED DISCUSSION AT DECEMBER 20-21 MEETING, WE DOUBT THAT DWYER NEED STAY OVER TO ATTEND. ACCORDINGLY, WE NOW ANTICIPATE THAT TOMPKINS WILL BE MISSION'S ONLY ADVISER.

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